



NEBO SCHOOL DISTRICT BOARD OF EDUCATION POLICIES AND PROCEDURES

SECTION: G - Personnel
POLICY TITLE: Hiring Practices
FILE No.: GCD
DATED: February 7, 2018

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1. PURPOSE AND PHILOSOPHY

Personnel employed by Nebo School District constitute the most important resource for effectively conducting a quality learning program. The Board of Education recognizes that every employee can make important contributions to student learning. The Board therefore strives to employ the most qualified personnel to fill each position. This policy is adopted to ensure that the recruitment and selection of employees meets that end and is orderly and consistent across the District. **The procedures outlined herein apply only to the hiring of new employees and not to transfers within the District.**

2. BOARD DELEGATION

- 2.1. The Board of Education assigns to the Superintendent and his/her staff the process of employee recruitment. This includes the development and implementation of strategies and procedures for recruiting, screening, and selecting personnel. The Superintendent and his/her staff are charged with employing the best available candidates (i.e., those with the highest capabilities, the strongest commitment to quality education, and the greatest probability of effectively implementing the District's instructional programs).
- 2.2. The Board of Education retains the legal responsibility to approve the employment of all employees. All personnel selected for employment must be recommended by the Superintendent and approved by the Board of Education. In recommending candidates for employment, the Superintendent shall communicate any deficiencies to the Board so that the Board may make an informed decision. Should the Board not approve the employment of a candidate being recommended by the Superintendent, the Superintendent shall submit other recommendations.

3. ANTIDISCRIMINATION STATEMENT

In the recruitment and selection of employees, Nebo School District does not discriminate on the basis of race, color, sex, sexual orientation, gender identity, pregnancy (including childbirth, breastfeeding, or any condition related to pregnancy or breastfeeding), age, religion, national origin, disability, or any other legally protected class(es) as defined by applicable state and federal law.

4. HIRING PROCEDURES FOR CERTIFIED AND CLASSIFIED EMPLOYEES

4.1. Identification of Vacancy

- 4.1.1.** Staffing allocations are established by the Superintendent or his/her designee.
- 4.1.2.** Vacancies are identified by the school/department administrator or his/her designee.
- 4.1.3.** When a vacancy is identified in a school/department, the administrator or his/her designee takes the following steps:
 - 4.1.3.1.** Submits the termination of the former employee if the vacancy is created by retirement, resignation, transfer, or dismissal; and
 - 4.1.3.2.** Submits a request to the Department of Human Resources (HR) to open the position.
- 4.1.4.** All openings must be authorized by HR.

4.2. Recruitment and Application

- 4.2.1.** Following authorization, HR advertises the opening and invites qualified individuals to submit applications.
- 4.2.2.** Vacancies will be advertised for a reasonable period of time, at least five (5) days. Exceptions may be made by the Superintendent or his/her designee.
- 4.2.3.** Applicants shall apply electronically. All applications and supporting documentation for employment shall be received and maintained by HR. Applicants shall submit references and a discipline record from prior employment if applying to work as an educator or if the applicant would have significant unsupervised access to students.
- 4.2.4.** HR will maintain a roster of qualified applicants. All properly submitted and updated applications will automatically be eligible for consideration for any openings in the specific field applied for. Applicants must update their applications at least annually. Applicant files are placed on inactive status one (1) year after the most recent login. Applicant files are deleted two (2) years after the most recent login.

4.3. Selection of Candidate

- 4.3.1.** Once the application deadline has passed, HR may pre-screen the applications, which includes, among other things, checking the references and the discipline record from prior employment. HR will then approve a list of candidates and provide it, along with the application and supporting documentation of each candidate, to the requesting principal/supervisor.
- 4.3.2.** The principal/supervisor reviews all the application materials from those candidates approved by HR and selects candidates to be interviewed.
- 4.3.3.** Interviews for certified or classified positions are to be conducted by the principal(s)/supervisor(s) and not by committees. Unless otherwise approved by HR, only members of the Nebo Management Team should be present during interviews. Under special circumstances, interviews may also be conducted by HR personnel and/or the appropriate director.
- 4.3.4.** No employment offer will be made until: (a) the vacancy has been advertised for a reasonable period of time, at least five (5) days; (b) the job has been closed; and (c)

files of qualified applicants have been considered. Exceptions to these conditions may only be made by the Superintendent or his/her designee.

- 4.3.5. Until a hiring decision has been made and approved by HR and all other applicable District personnel, the principal/supervisor must not indicate to prospective employees whether they will be hired or recommended for employment. Prior to the hiring decision, the principal/supervisor shall indicate no more than that the prospective employee will be informed when the decision has been made and approved through HR.
- 4.3.6. Following the interviews, the principal/supervisor shall select the most qualified candidate and submit to HR the recommendation and authorization to employ. The recommendation will be reviewed for approval by applicable District personnel.
- 4.3.7. Once approval is given, the principal/supervisor will be notified by HR that the prospective employee has been approved for hire pending completion of the hiring process. The principal/supervisor will then contact the prospective employee and offer him/her the position, indicating that the offer is contingent on approval by the Board of Education. If the prospective employee accepts the offer, the principal/supervisor will notify the other applicants in a timely manner.
- 4.3.8. HR will coordinate completion of the hiring process, including criminal background checks, TB tests, preparation of contracts and other forms, and any other requirements.
- 4.3.9. Schools/departments may not allow new employees to begin work until they have completed the HR requirements and received a Cleared to Work form.
- 4.3.10. Final approval of all hiring decisions always rests with the Board of Education.

4.4. Special Appointment

On rare occasions the Superintendent or Director of Human Resources may make direct appointments from within or without the certified and/or classified employees, upon Board approval, of qualified candidates to any position vacancy when such action will best serve District needs.

5. **HIRING PROCEDURES FOR ADMINISTRATORS**

5.1. Identification of Vacancy

- 5.1.1. Staffing allocations are established by the Superintendent or his/her designee.
- 5.1.2. Vacancies are identified by the Superintendent or his/her designee.
- 5.1.3. When the Superintendent/designee identifies a vacancy, he/she submits a request to HR to open the position.

5.2. Recruitment and Application

- 5.2.1. HR advertises the opening in a manner that describes the job and lists the salary range, work year, and other appropriate details.
- 5.2.2. Vacancies will be advertised for a reasonable period of time, at least five (5) days. Exceptions may be made by the Superintendent or his/her designee.
- 5.2.3. Applicants shall apply electronically. All applications and supporting documentation for employment shall be received and maintained by HR.

- 5.2.4. HR will maintain a roster of qualified applicants. All properly submitted and updated applications will automatically be eligible for consideration for any openings in the specific field applied for. Applicants must update their applications at least annually. Applicant files are placed on inactive status one (1) year after the most recent login. Applicant files are deleted two (2) years after the most recent login.

5.3. Selection of Candidate

- 5.3.1. Once the application deadline has passed, HR may pre-screen the applications. HR will then provide a list of candidates, along with the application and supporting documentation of each, to the Superintendent or his/her designee.
- 5.3.2. The Superintendent/designee appoints a selection committee that will include, but not be limited to, a Board member, the appropriate District director, and at least one other District staff member.
- 5.3.3. The committee shall screen the applications and select a number of applicants to be interviewed. The committee will then interview those applicants.
- 5.3.4. After the interview process, the committee will determine which of the candidates shall be designated as finalists and inform the Superintendent of the committee's conclusions. If the committee decides there are no applicants who are adequately qualified to be declared finalists, the position will be advertised again and the process repeated.
- 5.3.5. The Superintendent may choose to interview any of the finalists recommended by the committee, make any legal inquiry necessary, consult with the committee, or use other appropriate methods to help arrive at a decision. The Superintendent will nominate a candidate or candidates for the position to the Board of Education for final consideration. The Board will make the final appointment.
- 5.3.6. HR will coordinate completion of the hiring process, including criminal background checks (consistent with Nebo School District Policy #GBN – Employee Background Checks), TB tests, preparation of contracts and other forms, and any other requirements. New employees may not begin work until they have completed the HR requirements and received a Cleared to Work form.

5.4. Special Appointment

On rare occasions the Superintendent may make direct appointments from within or without the Management Team, upon Board approval, of qualified candidates to any administrative vacancy when such action will best serve District needs.

6. REFERENCE CHECK REQUIREMENTS FOR APPLICANTS AND VOLUNTEERS

- 6.1. As used in this Section 6, the following terms are defined as follows:
 - 6.1.1. "Child" means an individual who is younger than 18 years old.
 - 6.1.2. "Applicant" means an applicant for employment by the District.
 - 6.1.3. "Physical abuse" means the same as that term is defined in Utah Code Ann., Section 78A-6-105, as amended.
 - 6.1.4. "Potential volunteer" means an individual who: (a) has volunteered for but not yet fulfilled an unsupervised volunteer assignment; and (b) during the last three (3) years has worked in a qualifying position.

- 6.1.5. "Qualifying position" means paid employment that requires the employee to directly care for, supervise, control, or have custody of a child.
- 6.1.6. "Sexual abuse" means the same as that term is defined in Utah Code Ann., Section 78A-6-105, as amended.
- 6.1.7. "Student" means an individual who: (a) is enrolled in a school district or charter school in any grade from preschool through grade 12; or (b) receives special education services from a school district or charter school under the Individuals with Disabilities Education Act, 20 U.S.C. Section 1400, et seq.
- 6.1.8. "Unsupervised volunteer assignment" means a volunteer assignment at the District that allows the volunteer significant access to a student.
- 6.2. Before hiring an employee applicant or giving an unsupervised volunteer assignment to a potential volunteer the District shall:
 - 6.2.1. Require the applicant or potential volunteer to sign a release authorizing the applicant's or potential volunteer's previous qualifying position employers to disclose information regarding any employment action taken or discipline imposed for the physical abuse or sexual abuse of a child or student;
 - 6.2.2. Request that the applicant's or potential volunteer's most recent qualifying position employer disclose information regarding any employment action taken or discipline imposed for the physical abuse or sexual abuse of a child or student by the applicant; AND
 - 6.2.3. Document the efforts taken to make a request described in Section 6.2.2.
- 6.3. The District may not hire an applicant who does not sign a release described in Section 6.2.1.
- 6.4. The District may not give an unsupervised volunteer assignment to a potential volunteer who does not sign a release described in Section 6.2.1.
- 6.5. The District shall use its best efforts to request information before hiring an applicant; or giving an unsupervised volunteer assignment to a potential volunteer.
- 6.6. In accordance with federal and state law, the District may request from the applicant or potential volunteer other information the District determines is relevant.
- 6.7. In the event the District receives a request described in Section 6.2.2 from another school district or charter school, the District shall use its best efforts to respond to the request within twenty (20) business days after the day on which the District received the request. A school district, charter school, or other employer who in good faith discloses information within the scope of the request described in Section 6.2.2 is immune from civil and criminal liability for the disclosure as per Utah Code Ann., Section 53A-15-1511.

7. PLACEMENT ON SALARY SCHEDULE

Employees will be compensated according to their assigned step and lane on the applicable Salary Schedule.

7.1. Rules Governing Steps

- 7.1.1. When steps on the Salary Schedule are funded, employees advance one (1) step following each year of satisfactory service. A year of service coincides with the District's fiscal year (July 1-June 30). Employees must work a minimum of ninety (90) days during the fiscal year and receive a positive evaluation to qualify for step advancement. When funded, step advancements are awarded annually following the end of the fiscal year.
- 7.1.2. New employees, whether formerly employed by the District or newly hired for the first time, are assigned to Step 1 on the Salary Schedule unless the District, in its sole discretion, decides the new employee's prior experience merits placement above Step 1. Employees may be granted one step for each year of prior relevant experience, up to a maximum of five (5) steps. An employee with more than five years of previous experience may be granted an additional step for every two completed years of previous experience beyond the first five up to a maximum of 25 years of total previous experience for placement on Step 16. Placement on Step 17 or higher requires approval by the Superintendent and the Board.
 - 7.1.2.1. Placement above Step 1 is at the discretion of the District. The District may require at least one (1) letter of positive recommendation from the employee's most recent educational employer or administrator. The District may also consider whether the employee left any former employment, especially former employment in Nebo School District, in good standing.
 - 7.1.2.2. Placement on a step other than Step 1 during the first year of employment with the District does not reduce the number of years the employee must complete in the District for purposes of attaining career status.

7.2. Rules Governing Lanes

- 7.2.1. Lanes on the Certified and Administrative Salary Schedules are determined by the Employee's relevant education and training as outlined in the applicable employee handbook.
- 7.2.2. Lanes on the Classified Salary Schedule are determined by the approved Job Description for each position.

8. PROVISIONAL AND CAREER STATUS

- 8.1. Except for temporary and at-will employees, new employees, whether formerly employed by the District or newly hired for the first time, and regardless of step assignment on the Salary Schedule, are provisional employees as defined in the Public Education Human Resource Management Act, Utah Code Ann. §53A-8a-102.
- 8.2. Provisional employees with no immediate prior experience at another school district must work for Nebo School District on at least a half-time basis for three (3) consecutive years to obtain career employee status as defined in the Public Education Human Resource Management Act, Utah Code Ann. §53A-8a-102.
- 8.3. Provisional employees with one or more years of previous employment with a school district immediately prior to being hired at Nebo School District may, at the discretion of the Director of Human Resources, be awarded career status after two (2) consecutive years of District employment.
- 8.4. Additional provisions related to career status are found in Nebo School District Policy GCPD, *Employee Discipline, Administrative Leave, and Orderly Termination*.

EXHIBITS

None

REFERENCES

Utah Antidiscrimination Act, UTAH CODE ANN. § 34A-5-101, et seq.
Educator Licensing and Professional Practices Act, UTAH CODE ANN. § 53A-6-101, et seq.
Public Education Human Resource Management Act, UTAH CODE ANN. § 53A-8a-101, et seq.
UTAH CODE ANN. § 53A-15-1511
UTAH CODE ANN. § 78A-6-105
Nebo School District Policy GBEB, *Employee Discrimination and Harassment*
Nebo School District Policy GBEG, *Workplace Accommodations for Employees with Disabilities*
Nebo School District Policy GBHA, *Scope of Employment*
Nebo School District Policy GBN, *Employment Background Checks*
Nebo School District Policy GCBA, *Employment and Supervision of Relatives*
Nebo School District Policy GCPD, *Employee Discipline, Administrative Leave, and Orderly Termination*
Nebo School District Policy GDA, *Classified Employee Job Review*
Nebo School District *Certified Employee Handbook*
Nebo School District *Classified Employee Handbook*
Nebo School District *Management Team Handbook*

FORMS

Nebo School District Authorization and Consent for Reference Checks
Nebo School District Consent for Background Check and Ongoing Monitoring

HISTORY

Revised – January 10, 2018. Added requirement of positive evaluation for step increase; made technical changes.
Revised – July 13, 2016. Added reference check requirements per HB175 (2016).
Revised – July 8, 2015. Added requirement for checking references and discipline record.
Revised – June 10, 2015. Amended antidiscrimination statement per SB296 (2015); revised candidate selection process; added provision for steps granted to applicants with previous experience; updated Utah Code references; added provision for career status of previously employed applicants; made technical changes.
Revised – March 12, 2014. Added paragraph allowing superintendent or HR director to make direct appointment.
Adopted – February 8, 2012.
